

NOTICE OF PUBLIC HEARING
Tennessee Division of Water Pollution Control
PH 008-019

The division will hold a public hearing to seek comments concerning an application for a state water quality permit from the **Cumberland Yacht Harbor** to construct a commercial marina at Mill Creek Mile 0.2. The proposed project shall require the excavation of approximately 600,000 cubic yards of material from an upland area adjacent to the east bank of Mill Creek and 14,028 cubic yards within Mill Creek. Dredging in Mill Creek will occur in two areas. The excavated and dredged material will be used in onsite construction with the excess material disposed of in a field adjacent to the west bank. The construction of the harbor and marina will impact approximately 2,900 linear feet of the east bank of Mill Creek with no impact proposed to the west bank. Material will be excavated from the harbor basin in the dry by leaving a levee between Mill Creek and the excavation. Floating silt curtains and numerous other erosion control measures will be utilized. The applicant will compensate for the loss of riparian habitat along Mill Creek with revegetation, bank stabilization, habitat conservation and restoration in Mill Creek.

Date: Tuesday, December 9, 2008

Time: 6:00 P.M.

Location: Donelson Senior Citizens Center
Main Conference Room
108 Donelson Pike
Donelson, TN

Applicant: Jim Varallo
Cumberland Yacht Harbor, LLC
643 Spence Lane
Nashville, TN 37217
(615) 360-2044

The public notice of this project, file number NRS #08.197 published on September 9, 2008 can be found on the Internet at <http://www.state.tn.us/environment/wpc/ppo/arap>.

Persons wishing to comment on or object to the application proposal are invited to deliver oral or written comment at the public hearing. The hearing officer will limit all testimony to relevant water quality issues and may limit testimony in the interest of time. However, all persons desiring to speak will be given an opportunity to do so. Written testimony will be accepted for 10 days following the hearing and will be considered part of the official record. The public is also invited to submit comments in writing to the division at the address printed below. The comments must be received within 30 days from the date of this notice. After considering all public comments, the division will publish a final permit decision and a notice of the division's determinations.

Interested persons may obtain additional information or inspect and copy the application and related documents during business hours at the division's central office at , 401 Church Street, 7th Floor L and C Annex, Nashville, TN 37243; (615) 532-0712.

The Tennessee Department of Environment and Conservation is committed to principles of equal opportunity, equal access and affirmative action. Individuals with disabilities who wish to participate in these proceedings (or to review these filings) should contact the Tennessee Department of Environment and Conservation to discuss any auxiliary aids or services needed to facilitate such participation. Contact for services should be made no less than ten days in advance to allow time to provide such aid or services.

Contact the ADA Coordinator at 1-866-253-5827 for further information. Hearing impaired callers may use the Tennessee Relay Service (1-800-848-0298).

Tennessee Department of Environment and Conservation
Division of Water Pollution Control
Attn: Mike Lee
7th Floor L&C Annex
401 Church Street
Nashville, Tennessee 37243-1534